



10-142C2

Attorney's Docket No. \_\_\_\_\_

Applicant or Patentee: Joseph Hummel  
Serial or Patent No.: not yet assigned  
Filed or Issued: concurrently herewith  
For: IMPROVED KNITTABLE YARN AND SAFETY APPAREL

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c))—SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Bettcher Industries, Inc.  
ADDRESS OF CONCERN P.O. Box 336  
Vermilion, Ohio 44089

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled

IMPROVED KNITTABLE YARN AND SAFETY APPAREL

by inventor(s) Joseph Hummel

described in

the specification filed herewith  
 application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

(Small Entity-Small Business [7-4]—page 1 of 2)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Laurence A. Bettcher

NAME OF PERSON SIGNING \_\_\_\_\_

President

TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_

P.O. Box 336

ADDRESS OF PERSON SIGNING \_\_\_\_\_

Vermilion, Ohio 44089

SIGNATURE



Date



**DECLARATION and POWER OF ATTORNEY**  
**(SOLE)**

I, Joseph Hummel, hereby declare that:

My residence and post office address is 483 Oaknoll Drive, Amherst, Ohio 44001  
I am a citizen of United States of America.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled the specification of which

- 1) XXXXXXXX is attached.
- 2) \_\_\_\_\_ was filed on \_\_\_\_\_ as Serial No. 0 / \_\_\_\_\_ and was amended on \_\_\_\_\_.
- 3) \_\_\_\_\_ was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose to the Office information of which I am aware which is material to patentability. Such information is material to patentability when it is not cumulative to information already of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application for patent or inventor's certificate listed below and have also identified below any corresponding foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>		
(Number)	(Country)	(Day/Month/Year Filed)	(Yes) (No)
(Number)	(Country)	(Day/Month/Year Filed)	(Yes) (No)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty, as stated above, to disclose material information, as defined in Title 37, Code of Federal Regulations, §1.56, relating to events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
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(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
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I hereby designate as my mailing address the office of:

**WATTS, HOFFMANN, FISHER & HEINKE CO., L.P.A.**  
**100 Erieview Plaza, Suite 2850**  
**Cleveland, Ohio 44114-1824**

And I hereby appoint each of the following attorneys and agent, all of whom are associated with Watts, Hoffmann, Fisher & Heinke Co., L.P.A. (Telephone No. 216/623-0775), as attorney of record to prosecute this application and to transact all business in the Patent Office connected therewith: Thomas E. Fisher, Reg. No. 18,271; Lowell L. Heinke, Reg. No. 19,471; James G. Watterson, Reg. No. 20,180; Linn J. Raney, Reg. No. 23,078; Kevin J. Heyd, Reg. No. 26,061; John R. Hlavka, Reg. No. 29,076; Stephen J. Schultz, Reg. No. 29,108; Steven D.A. McCarthy, Reg. No. 33,421; James E. Barlow, Reg. No. 32,377, and Richard A. Sharpe, Reg. No. 34,722.

And I hereby appoint the foregoing James G. Watterson, Reg. No. 20,180, principal attorney.

This appointment shall include all power to prosecute and transact all business relating to all applications corresponding to the referenced application in all countries, including all regional and international patent offices, such as, but not limited to, the European Patent Office and all offices and bureaus established in accordance with the Patent Cooperation Treaty.

I hereby further designate and appoint any officer of Watts, Hoffmann, Fisher & Heinke Co., L.P.A. my attorney in fact with full power of substitution and revocation, including power to designate a substitute principal attorney.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

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Full name of Inventor:

Joseph Hummel

Inventor's signature:

Joseph Hummel

Residence:

Amherst, Ohio OH

Citizenship:

United States of America

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